Republic of the Philippines

SENATE

Pasay City

JOURNAL

SENATE SITTING AS AN
IMPEACHMENT COURT
ON THE IMPEACHMENT TRIAL OF
VICE-PRESIDENT
SARA ZIMMERMAN DUTERTE

IMPEACHMENT TRIAL NO. 2
MONDAY, 6 JULY 2026

PREPARED BY THE
LEGISLATIVE JOURNAL SERVICE
SENATE OF THE PHILIPPINES

IMPEACHMENT TRIAL NO. 2
Monday, July 6, 2026

CALL TO ORDER

At 2:01 p.m., Monday, July 6, 2026, the Senate President, Hon. Win Gatchalian, Presiding Officer of the Senate sitting as an Impeachment Court, called the impeachment trial of Vice President Sara Zimmerman Duterte to order.

PRAYER

Sen. Paolo Benigno "Bam" Aquino IV led the prayer, to wit:

Panginoong Diyos, lumalapit po kami sa Inyo upang gabayan Ninyo po kami sa aming tungkulin. Pagkalooban Ninyo po kami ng malinaw na pag-iisip upang hanapin at makita ang katotohanan na walang kinikilingan.

Panginoon, ipaalala Ninyo po sa amin na ang aming kapangyarihang ipinagkatiwala ay hindi dapat gamitin para sa sarili kundi para lamang sa bayan. Nawa'y ang prosesong ito ay maging daan upang mapagtibay ang katarungan at tiwala ng mamamayan.

Panginoon, sa gitna ng prosesong ito, sa kabila ng mga magkakaibang pananaw at paninindigan, dalangin namin na magkaisa kaming lahat alang-alang sa katotohanan at katarungan.

Pagkalooban Ninyo po kami ng lakas ng loob na ipaglaban ang tama, ng karunungang kumilala sa katotohanan, at ng pusong laging inuuna ang kapakanan ng Inang Bayan. Ito po ang aming taimtim na panalangin.

Sa ngalan ng Ama, ng Anak, at ng Espiritu Santo. Amen.

ROLL CALL

Upon direction of the Presiding Officer, the Clerk of Court, Atty. Renato N. Bantug Jr., called the roll, to which the following senator-judges responded:

Aquino, B.
Cayetano, A. P. S.
Cayetano, P. S.
Ejercito, J. V.
Escudero, F. G.
Gatchalian, W. T.
Go, C. L. T.
Hontiveros, R.
Lacson, P. M.
Lapid, M. M.
Legarda, L.
Marcos, I. R.
Padilla, R.
Pangilinan, F. N.
Sotto III, V. C.
Tulfo, E. T.
Tulfo, R. T.
Villanueva, J.
Villar, C. A.
Villar, M. A.
Zubiri, J. M. F.

With 21 senators present, the Chair declared the presence of a quorum.

Senators Estrada and Marcoleta were unable to attend as they were both under detention.

Senator Dela Rosa was absent.

PROCLAMATION OF THE SERGEANT-AT-ARMS

The Sergeant-at-Arms, PMGen Alfred S. Corpus, commanded all persons, on pain of penalty, to keep silent while the Senate is sitting for the trial of the Articles of Impeachment against Vice President Duterte.

Senate President Gatchalian noted that since convening on May 18, 2026, the Court had issued summons and conducted pre-trial proceedings, all of which were made part of the record. He also stated that Resolution No. 39, as amended, shall continue to govern the impeachment proceedings.

STATEMENT OF SENATE PRESIDENT WIN GATCHALIAN

Senate President Gatchalian delivered the following statement:

Before we begin, with the Court's kind indulgence, I wish to deliver a brief opening statement.

Sa araw na ito, binubuksan natin ang pagdinig sa kasong impeachment *laban sa Pangalawang Pangulo ng Republika ng Pilipinas, ang kagalang-galang na Sara Zimmerman Duterte, alinsunod sa ating Saligang Batas.*

Sa pagtupad natin sa tungkuling ito, malinaw ang panata na ating sinumpaan: "to do impartial justice according to the Constitution and the laws of the Philippines." *Ibig sabihin nito, ang bawat pasya natin ay dapat nakabatay lamang sa Saligang Batas, sa ating mga batas, sa mga alituntunin ng Hukumang ito, at sa mga ebidensyang ihaharap na walang kinikilingan at walang pinapanigan.*

Impeachment is the constitutional mechanism that holds the highest public officials of the Republic accountable to the people. We cannot achieve accountability nor can we faithfully serve justice without the truth.

Karapatan ng sambayanan na malaman kung may katotohanan ang mga paratang laban sa Pangalawang Pangulo. Tungkulin nating timbangin ang mga ebidensyang ihaharap at tiyaking ang ating magiging pasya ay nakabatay lamang sa batas at sa mga katotohanang mapatutunayan sa paglilitis.

Ipinagkakaloob ng Saligang Batas sa Senado ang natatanging kapangyarihang dinggin, litisin at pagpasyahan ang lahat ng kaso ng impeachment. Kaakibat nito ang pananagutang tiyakin na ang paglilitis ay isinasagawa nang may integridad, kaayusan, at buong paggalang sa proseso.

Sisiguraduhin natin na magiging maayos, bukas, at madaling maunawaan ng ating mga kababayan ang prosesong ito.

Pagkakalooban ang magkabilang panig—ang prosekusyon at ang depensa—ng sapat at makatarungang pagkakataon upang magharap ng ebidensya, magsuri, at magtanong sa mga testigo at mailahad nang buo ang kani-kanilang mga argumento.

Sa ganitong paraan, maihaharap sa taumbayan ang malinaw na batayan upang maunawaan ang mga isyung nakapaloob sa Articles of Impeachment.

Kasabay ng paghahanap sa katotohanan ang tungkulin nating tiyaking iginagalang ang mga karapatan ng bawat panig, lalo na ang karapatan ng Respondent Vice President *sa isang patas at makatarungang paglilitis.*

Due process and fair play must remain paramount at every stage of this trial. Let us be firm in the search for truth. Let us remain faithful to the rules of this Court, the rule of law, and, above all, the Constitution.

Nakatutok ang buong sambayanan. Bawat kilos, salita, at pagpapasyang ating gagawin ay huhubog sa kasaysayan. At ang kasaysayan ang huling huhusga kung tayo ay kumilos nang tapat at nararapat.

Nais kong bigyan ng katiyakan ang lahat, lalo na ang ating mga kababayan, na gagampanan ko ang aking tungkulin nang patas at may katapatan.

Magalang kong hinihikayat ang bawat senator-judge, *nawa ay tuparin natin ang ating tungkulin nang may dangal at pananagutan sa ating Konstitusyon upang maging karapat-dapat tayo sa tiwalang ipinagkaloob sa atin ng sambayanang Pilipino.*

ELECTION OF THE PRESIDING OFFICER OF THE IMPEACHMENT COURT

Pursuant to Rule II, paragraph 2 of the *Rules of Procedure on Impeachment Trials*, as amended, upon the direction of Senate President Gatchalian, the Court proceeded to the election of the Presiding Officer of the Impeachment Court.

POINT OF ORDER OF SENATOR CAYETANO (A)

Senator-Judge Cayetano (A) raised a point of order, stating that under the Constitution, the Presiding Officer of the Impeachment Court is the Senate President. He stated that while Article XI, Section 3(6) of the 1987 Constitution does not explicitly say as who shall preside over the impeachment trials of public officials other than the President of the Philippines, the record of the proceedings of the 1986 Constitutional Commission, particularly Session No. 41, dated July 27, 1986, shows the following:

"xxx THE PRESIDING OFFICER (Mr. Treñas): Commissioner Davide is recognized.

MR. DAVIDE: Thank you, Mr. Presiding Officer. I have some proposed amendments on Section 3, subparagraph 5.

THE PRESIDING OFFICER (Mr. Treñas): The gentleman may proceed.

MR. DAVIDE: This is without prejudice to whatever amendments may be accepted by the committee when the Aquino amendments would be taken up. It would consist in adding a new sentence on line 20, before the phrase, 'No person shall be convicted,' inserted the following: ALL OTHER CASES, THE PRESIDENT OF THE SENATE SHALL PRESIDE.

THE PRESIDING OFFICER (Mr. Treñas): What does the committee say?

MR. MONSOD: Is it not understood that when the President of the Philippines is on trial, it is only time when the Chief Justice of the Supreme Court will preside. It is necessary to say that the Senate President shall decide during all the time.

MR. DAVIDE: Mr. Presiding Officer, I precisely presented this because we had a distinction when it comes to the Chief Justice of the Supreme Court. But with that clarification, that in all other cases it should be the President of the Senate who shall preside, I withdraw my amendment. xxx"

Senator-Judge Cayetano (A) argued that based on the rule on statutory construction, both the letter and spirit of the law must be followed, further saying that based on the latter, it is the Senate President who should preside over an impeachment trial. He stressed that adherence to the Constitution is essential to preserve the institutional integrity, legitimacy, and regularity of the impeachment trial. He explained that under the Rules, the presiding officer can decide questions on the spot or throw it to the body, build consensus with the minority citing the example of former Senate President Enrile.

He asserted that neither the Senate's internal rules nor a resolution may alter constitutional requirements, emphasizing that the authority of the presiding officer must come from the Constitution rather than from a vote of the Impeachment Court.

Citing Tan v. Cinco (G.R. No. 213054, June 15, 2016), Senator-Judge Cayetano (A) argued that proceedings conducted by a judge or tribunal without legal authority are void regardless of the fairness of the proceedings, create no rights, produce no legal effect, and may be challenged at any time.

Senator-Judge Cayetano (A) recalled that when he was still the Senate President, there was a procedural dispute over the proposed amendment of Senator Marcoleta to the *Rules of the Senate* that would allow senators to participate in the plenary sessions remotely. He noted, however, that the minority then insisted strict compliance with the *Rules*, even though the proposal had been pending for more than one day and had been referred to the Committee on Rules. He also questioned the validity of the June 3, 2026 session, arguing that it lacked the required quorum – a question that is pending before the Supreme Court. He further asserted, assuming for the sake of argument that twelve senators constituted a quorum, that the Resolution amending the impeachment *Rules* should have been presented a day before. Any amendment thereto must likewise be adopted by the Impeachment Court after proper deliberation.

Senator-Judge Cayetano (A) argued that the issue as to who should preside over the impeachment trial is a threshold matter that must first be resolved to avoid legal issues that could render the entire proceedings null and void. He stressed his objection to the election of another Presiding Officer, noting that Senate President Gatchalian had already expressed his willingness to preside. He explained that the issue on the presiding officer, like the issue on the required 2/3 vote to convict, is a threshold issue – a preliminary question or condition that must be resolved before proceeding to the merits of the case, absent which, further action is halted.

RULING OF THE CHAIR

Senate President Gatchalian stated that the amendment to Rule II of the *Rules of Procedure on Impeachment Trials* was adopted pursuant to Article XI, Section 3(8) of the Constitution, which explicitly provides that "Congress to promulgate its own impeachment rules to effectively carry out the purposes of this Section." He recalled that the amendment introduced by Senator Zubiri through Senate Resolution No. 430 on June 3, 2026, was duly approved and adopted with no objection from any Member. It was later renumbered as Resolution No. 48 and published in the *Philippine Daily Inquirer* and *Malaya* on June 9, 2026. He ruled that any challenge or discussion on the matter should be taken up by the Senate in plenary session as a legislative body, consistent with the adoption of the *Rules* on impeachment proceedings against former President Estrada in 2000, and former Chief Justice Corona in 2011.

Asserting that there was no quorum when Rule II was amended and is null and void, Senator-Judge Cayetano (A) said that the amendment also failed to comply with Rule LI, Section 136, second paragraph of the Senate *Rules*, which provides, "The Rules may also be amended by means of a motion that should be presented at least one (1) day before its consideration." He argued that the Impeachment Court, having adopted its own *Rules* upon convening, is distinct from the Senate acting as a legislative body and should not automatically be bound by subsequent amendments made in plenary.

Senate President Gatchalian maintained that any legal or procedural issues to Resolution No. 40 should be raised in the Senate sitting in plenary, where the *Rules* were originally adopted and later amended.

MANIFESTATION OF SENATOR-JUDGE PANGILINAN

Senator-Judge Pangilinan stated that the Constitution expressly requires the Chief Justice to preside only when the President of the Philippines is the respondent in an impeachment trial, stressing that nowhere in the provisions of the Constitution does it say that the Senate President must preside when the Vice President or any other impeachable officer is on trial. He maintained that it is precisely because of this silence that Congress is allowed to exercise its rule-making authority by prescribing its own rules, which is what the Senate did on June 3. He also noted that the amendments to the *Rules on Procedure on Impeachment Trials* had been ratified by the Senate during its approval of the *Journal* in special session on June 17, 2026, giving rise to the presumption of regularity.

Senator-Judge Pangilinan also noted that Senator-Judge Cayetano (A) had already challenged the validity of the June 3 Senate proceedings before the Supreme Court, but the latter had not issued a temporary restraining order (TRO) and despite the prayer for a *status quo ante order*, the same was not granted therefore, the presumption of regularity in the Senate proceedings behooves the impeachment court to proceed under the existing rules. He added that any challenge to the amendments should be resolved either by the Supreme Court or by the Senate sitting in plenary, rather than by the Impeachment Court.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (P)

Senator-Judge Cayetano (P) urged the Body to examine the records of the Constitutional Commission to determine its framers' intent regarding the presiding officer of the Impeachment Court.

She further suggested that if the Chair maintained that amendments to the impeachment rules must be acted upon by the Senate sitting as a legislative body, a special session could be convened to settle the issue.

Senator-Judge Cayetano (P) stated that she would later provide her colleagues with materials on the framers' discussions on the pertinent Constitutional provision, and urged them to decide the issue on its merits rather than along majority-minority lines.

REMARKS OF SENATOR-JUDGE SOTTO

Senator-Judge Sotto stated that he actually received guidance from his staff that the Constitution is silent on who should preside over Senate impeachment proceedings in general, but only expressly provides that the Chief Justice shall preside when the President is on trial. Invoking the maxim *expressio unius est exclusio alterius* or the express mention of one thing excludes others, he argued that this distinction should guide the interpretation of the issue.

He further emphasized that the public was more interested in the prompt conduct of the impeachment trial than in procedural technicalities. He also stressed that the Constitution emanates from the people and that rules are not always sacrosanct in the interest of justice.

MOTION OF SENATOR-JUDGE LACSON

Pursuant to Rule II of the *Rules of Procedure on Impeachment Trials*, as amended, Senator-Judge Lacson moved that the Court elect Senator-Judge Escudero as the Presiding Officer of the Impeachment Court.

Senator-Judge Cayetano (A) registered his objection and requested that he be allowed to explain his vote. Senate President Gatchalian stated that the explanation would come after the division of the House.

Submitted to a vote, and with twelve Senator-Judges voting in favor and eight against, the motion of Senator-Judge Lacson was approved.

Senate President Gatchalian stated that Senator-Judge Escudero, under the same oath taken on May 18, 2026, would immediately assume and exercise all powers, functions, duties, and prerogatives vested in the Presiding Officer under the *Rules of Procedure on Impeachment Trials*, as amended, and shall give full effect to the powers inherent in courts under Rule 135, Section 5 of the *Rules of Court*.

EXPLANATIONS OF VOTE

In explaining their votes, the following statements were delivered:

By Senator Cayetano (A)

In explaining his negative vote, Senator-Judge Cayetano (A) argued that the issue of who should preside over the Impeachment Court has implications on constitutional requirements, procedural due process, and the fairness of the proceedings, warning that any error could place the entire trial at risk of being challenged. He disputed the interpretation earlier advanced by Senator-Judge Sotto, contending that the records of the Constitutional Commission reflected an understanding that the Senate President would preside over impeachment trials, except when the President of the Philippines is the respondent, in which case the Chief Justice would preside. He further maintained that concerns for the expeditious conduct of the proceedings should not override threshold issues affecting due process and fairness, stressing that a fair trial requires adherence to constitutional safeguards at every stage.

Citing the *Rules of Procedure on Impeachment Trials*, Senator-Judge Cayetano (A) emphasized the significant powers vested in the Presiding Officer, including the authority to issue orders, mandates, and writs, and argued that the question of who exercises such powers bears directly on the integrity of the proceedings.

SUSPENSION OF SESSION

With the permission of the Body, the session was suspended.

It was 2:50 p.m.

RESUMPTION OF SESSION

At 2:57 p.m., the session was resumed.

EXPLANATIONS OF VOTE
(*Continuation*)

By Senator Cayetano (P)

In explaining her negative vote, Senator-Judge Cayetano (P) supported the view that the Senate President should preside over the Impeachment Court, as she cited the proceedings of the Constitutional Commission, citing the exchange between Commissioners Christian Monsod and

Hilario Davide Jr., on the intention to have the Senate President preside, while withdrawing the proposed amendment to that effect.

Senator-Judge Cayetano (P) further argued that the maxim *expressio unius est exclusio alterius* was inapplicable in light of the framers' intention, despite the amendment being withdrawn, and maintained that the constitutional provision should be interpreted in accordance with that intent.

She informed the Court that she had instructed her staff to reproduce copies of the relevant *Journal* entry and urged the Court not merely to cast their votes but also to carefully examine and understand the recorded proceedings. She likewise reminded the Court that it could not disregard the Constitution.

She maintained that established jurisprudence provides ample guidance on the fundamental principles of constitutional law, particularly the rule of constitutional construction requiring that the intent of the framers of the Constitution be given full effect. She questioned whether the Senate's vote was consistent with that principle, emphasizing that, while any of her fellow Senator-Judges was capable of presiding over the proceedings, the issue concerned compliance with the constitutional mandate rather than the qualifications of any individual.

Senator-Judge Cayetano (P) cited *Lambino v. Commission on Elections* (G.R. No. 174153), in which the Supreme Court relied on the deliberations of the Constitutional Commission in determining the nature of the people's initiative. She explained that the Court gave effect to the framers' explicit intent, as reflected in the plenary debates, in order to prevent deceptive or misleading petition processes, and to require compliance with the full-text requirement. She likewise cited *Calderon v. Carale* (G.R. No. 91636), wherein the Supreme Court examined the historical and textual context of Article VII, Section 16 of the 1987 Constitution and held that the framers intended to exclude presidential appointments from confirmation by the Commission on Appointments except those expressly specified in the Constitution. Applying the same principle to the present matter, she argued that the framers clearly intended that the Senate President should preside over the impeachment proceedings.

She also cited *Gold Creek Mining Corporation v. Rodriguez* (66 Phil. 259), emphasizing the pronouncement of Justice Jose Abad Santos over the issue that the fundamental principle of constitutional construction is to give effect to the intent of the framers of the Organic Law, and of the people who adopted it. She added that numerous subsequent decisions of the Supreme Court have consistently reaffirmed that constitutional doctrine.

Senator-Judge Cayetano (P) stated that she could cite additional jurisprudence supporting the same principle but opted not to take further time, particularly because the new Presiding Officer had only recently assumed the chair. She urged her fellow senator-judges to uphold established legal principles, present well-founded arguments, and remain open to considering opposing views without prejudging the issues.

By Senator-Judge Sotto

Senator-Judge Sotto, in explaining his affirmative vote, stated that the minutes of the Constitutional Commission are merely used as source for research.

By Senator-Judge Padilla

Senator-Judge Padilla stated that, during his four years as a Senator, he had served as Chairperson of the Committee on Constitutional Amendments. He explained that the committee had consistently invited the framers of the Constitution to its hearings because they were in the best

position to explain the intent and spirit of the Constitution. Drawing an analogy to consulting a "creator," he maintained that the framers' views should be given considerable weight in interpreting the Constitution. Referring to the materials distributed by Senator-Judge Cayetano (P), he observed that although the statements had already been presented in English, they should likewise be explained in Filipino to make them more accessible to the public.

He then quoted former Chief Justice Hilario Davide Jr., withdrew his amendment after it was clarified that, in all other impeachment cases, the Senate President would preside. He emphasized that the Constitution is clear and precise and should neither be altered nor distorted. He urged his fellow senator-judges to adhere strictly to its express provisions.

Recalling two impeachment proceedings, he noted that the impeachment trial of former President Joseph Estrada had been presided over by the Chief Justice, while the current impeachment proceeding is presided over by former Senate President Escudero. He stated that both instances were consistent with the Constitution and established practice.

Addressing the Members of the Majority, Senator-Judge Padilla questioned why it was being insisted that Senator-Judge Escudero serve as Presiding Officer despite not having been elected Senate President. He further observed that, if the Body had intended Senator-Judge Escudero to preside over the impeachment proceedings, it should heve elected him Senate President in the first place.

By Senator-Judge Marcos

In explaining her vote, Senator-Judge Marcos delivered the following statement:

Ang sabi sa atin noong bata tayo, kapag mali ang umpisa, mali na ang lahat na susunod. Ayoko naman na magkamali sa umpisa pa lamang ng napakahalagang paglilitis na ito. Unang-una, paulit-ulit na nating sinaad na ang ating Saligang Batas ay hindi maaaring baluktutin. At napaka-klaro nito, at ang sinasabi ng ating Constitution of 1987, Article XI, Section 3 (6)—All Other Impeachable Officers—*ang sinasabi*—carving out therefore the exception that proves that rule—that the Chief Justice is the single exception, otherwise, the Presiding Officer should be the Senate President. It is the exception that proves the rule.

Palibhasa, nauso ang Latin, may kabaligtaran din sa kinowt [quote] *ni* Senator Sotto: "*Expressio unius est exclusio alterius.*" *Palibhasa, hindi naman in-*exempt, *ibig sabihin na laging dapat ang* Senate President *ang* Presiding Officer.

Ikalawa, nakita naman natin ang mga debate: ang listahan ng mga sinabi at pinaliwanag noong dating Chief Justice *natin, si Mr. Davide, noong panahon ng* Convention, contextual reading, and thorough debate do not allow for any interpretation whatsoever, and we should abide by that.

Ikatlo, iyong kaduda-dudang quorum *noong* June 3 *na ipinapaliwanag ng aming* Minority Leader *na hanggang ngayon nakatengga pa rin. Kung tutuusin, noong sinasabing naamyenda, iyong* Supreme Court petition, *ay* pending *pa, kaya hindi karapat-dapat na iyon ang sundan.*

Ika-apat, it is not the Impeachment Court but the Senate that amended the *Rules.*

Kaya para sa akin, napakaraming dahilan. Huwag sana nating sayangin itong napakahalagang responsibilidad natin, at huwag mag-umpisa sa mali itong paglilitis.

By Senator-Judge Villanueva

Upon manifestation of the Presiding Officer, the following explanation of vote of Senator-Judge Villanueva on the election of Senator Escudero as Presiding Officer of the Impeachment Court was deemed read into the *Journal* and *Record of the Senate*:

This Representation votes in favor of the motion to elect the Honorable Senator-Judge Francis "Chiz" Escudero as the Presiding Officer of the Impeachment Court.

This vote is anchored on one principle: the Constitution must be interpreted as it is written. Article XI, Section 3(6) is clear. It expressly provides that only when the President is on trial shall the Chief Justice preside. Beyond this express exception, the Constitution is silent as to who shall preside in the impeachment trials of all other impeachable officers. That silence is significant.

The framers could have required the Senate President to preside in all other impeachment trials. They did not. Neither did they prohibit the Senate from adopting another procedure. *Kung malinaw ang Saligang Batas, hindi na natin dapat lagyan ng limitasyon na wala namang isinulat ang ating Konstitusyon.*

As the Supreme Court reminded us in Civil Liberties Union v. Executive Secretary,[1] "it is safer to construe the Constitution from what appears upon its face." The Court further held that the proper interpretation of the Constitution depends more on how it was understood by the people who ratified it than on the framers' own understanding. Our duty, therefore, is to give effect to the constitutional text—not to read into it qualifications or restrictions that it does not contain.

This reading is reinforced by Article XI, Section 3(8), which expressly directs Congress to promulgate its Rules on Impeachment to effectively carry out the constitutional process. This provision is itself an express grant of constitutional authority. It recognizes that while the Constitution establishes the framework for impeachment, it entrusts Congress, in this instance, the Senate, with the responsibility of adopting the procedural rules necessary for the effective conduct of impeachment proceedings. Further, Article VI, Section 16(3) likewise recognizes that each House may determine the rules of its proceedings, a constitutional prerogative consistently respected by the Supreme Court as part of the Senate's institutional autonomy.

Rule LI, Section 136 of the Senate Rules was raised by our colleagues, which provides that amendments to the Rules by motion must be presented at least one day before their consideration. With due respect, that provision is inapplicable here.

The one-day notice requirement is textually and contextually limited to amendments introduced by motion. The amendment adopted by this Body was not proposed through a motion; it was embodied in Senate Resolution No. 430. As a formal legislative measure, a resolution follows a distinct procedural track and is not subsumed under the specific requirements governing motions under Rule LI, Section 136.

To conflate the two would be to disregard the deliberate distinctions embedded in our parliamentary framework. Our Rules recognize that motions and resolutions follow different procedures, each with its own requirements and consequences. When the Rules intend to impose a limitation, they do so plainly. In this case, no such limitation applies to resolutions.

The constitutional text is already clear, and if any confirmation is needed, the deliberations of the 1986 Constitutional Commission show that Commissioner Florenz Regalado proposed the inclusion of what is now Article XI, Section 3(8) precisely to ensure that Congress would have the authority to promulgate the procedural rules necessary to effectively carry out impeachment proceedings. The proposal was accepted by the Commission without objection, confirming that the Constitution deliberately vested Congress with broad authority to establish the procedural rules governing impeachment proceedings, including procedural matters not expressly addressed by the constitutional text.

Sa madaling salita, malinaw ang framework ng Konstitusyon. Kapag ang Pangulo ang nililitis, ang Chief Justice ang mamumuno. Sa lahat ng iba pang impeachment cases, iniwan ng Konstitusyon sa Senado, sa pamamagitan ng ating impeachment rules, ang pagpapasya sa mga procedural na usaping gaya ng pagtatalaga ng presiding officer.

This Representation believes the Senate acts well within the bounds of the Constitution in adopting rules that provide for the election of a Presiding Officer in impeachment trials where the Constitution itself has not designated one.

[1] G.R. No. 83896, February 22, 1991.

This vote, therefore, is not about personalities. *Hindi ito tungkol sa kung sino ang mamumuno. Ang tanong ay kung ano ang pinapahintulutan ng Konstitusyon.*

For these reasons, and in faithful adherence to both the letter and the structure of our Constitution, I vote YES to the election of Senator Francis "Chiz" Escudero as Presiding Officer of the Impeachment Court.

Maraming salamat and may God bless us all.

By Senator-Judge Pangilinan

Upon manifestation of the Presiding Officer, the following explanation of vote of Senator-Judge Pangilinan on the election of Senator Escudero as Presiding Officer of the Impeachment Court was deemed read into the *Journal* and *Record of the Senate*:

The Constitution vests in the Senate the authority to elect a presiding officer in impeachment trials not involving the President.

I voted in favor of the election of a Presiding Officer because the Constitution does not require the Senate President to preside over an impeachment trial involving any impeachable officer other than the President of the Philippines.

Article XI, Section 3(6) of the 1987 Constitution provides:

> "The Senate shall have the sole power to try and decide all cases of impeachment. When sitting for that purpose, the Senators shall be on oath or affirmation. When the President of the Philippines is on trial, the Chief Justice of the Supreme Court shall preside, but shall not vote. No person shall be convicted without the concurrence of two-thirds of all the Members of the Senate."

The text of the Constitution is clear. It expressly designates the Chief Justice to preside when the President of the Philippines is on trial. It does not mandate the Senate President to preside when the respondent is the Vice President or another impeachable officer.

At the same time, *Article XI, Section 3(8) of the 1987 Constitution* expressly provides:

> "The Congress shall promulgate its rules on impeachment to effectively carry out the purpose of this section."Exercising this constitutional authority, the Senate, in plenary session, amended *Rule II of the Rules of Procedure on Impeachment Trials* to provide that, in impeachment cases not involving the President, the Senate President shall preside unless the Senate, by a majority vote of the Members present, elects another Senator as the Presiding Officer. I would like to add that this amendment was confirmed in the subsequent special session in plenary.

The amendment of Rule II likewise falls within the settled principle that parties acquire no vested right in procedural rules. In *Tan v. Court of Appeals*, G.R. No. 136368, the Supreme Court held that there are no vested rights in rules of procedure, which may be amended or repealed by the rule-making authority and generally apply to pending proceedings insofar as they regulate the mode of enforcing rights rather than the rights themselves. The amendment to Rule II did not create, diminish, or impair any substantive constitutional right. It merely prescribed the procedure by which the Senate, exercising its authority to promulgate rules for impeachment trials, may determine who shall preside in impeachment cases not involving the President.

The election of a Presiding Officer other than the Senate President in the impeachment trial of the Vice President was therefore not an exercise of a power inconsistent with the Constitution. Rather, it was the implementation of a provision adopted by the Senate pursuant to the rulemaking authority expressly granted by *Article XI, Section 3(8) of the Constitution.*

This is consistent with the settled principle of *verba legis*. Where the language of the Constitution is clear and unambiguous, the text must be applied according to its plain meaning. In the case of *Umali vs. Judicial and Bar Council*, G.R. No. 228628, 25 July 2017, reiterating *Chavez vs. Judicial and Bar Council*, G.R. No. 202242, 16 April 2013, the Supreme Court declared that "where the law speaks in clear and categorical language, there is no room for interpretation, only application."

The mandate under Art. XI, Sec 3 paragraphs 6 and 8 of the Constitution should prevail over the cited intent of the framers which did not make it into the text of the fundamental law.

Accordingly, resort to the deliberations of the Constitutional Commission cannot override the plain text of the Constitution. In the case of *Chavez*, the Supreme Court held that "where constitutional language is plain and unambiguous, there is no need to resort to extrinsic aids such as the records of the Constitutional Commission".

While the deliberations of the Constitutional Commission may serve as an aid in resolving genuine ambiguity, they cannot insert into the Constitution a requirement that does not appear in its final text. As the Supreme Court explained in *Francisco vs. House of Representatives*, G.R. No. 160261, 10 November 2003, the language of the Constitution itself "compels acceptance and negates the power of the courts to alter it," based on the fundamental premise that the framers and the people who ratified the Constitution meant what they said. The Supreme Court further emphasized that the proceedings of the Constitutional Commission are "powerless to vary the terms of the Constitution when the meaning is clear."

Thus, the controlling consideration is the Constitution that was ultimately adopted and ratified by the Filipino people. To reiterate, this Constitution expressly identifies the presiding officer only when the President is on trial. The Constitution, expressly empowers the Senate to promulgate rules in order to effectively carry out its sole power to try all cases of impeachment. The Constitution does not require the Senate President to preside in the impeachment trial of the Vice President.

For these reasons, I voted in favor of the election of a Presiding Officer pursuant to the Rules of Procedure on Impeachment Trials and consistent with the express text of the Constitution, the Senate's constitutionally granted rulemaking authority, and settled jurisprudence requiring that clear and unambiguous constitutional provisions be applied according to their express terms.

In so voting, trial can now proceed consistent with our constitutional mandate.

MANIFESTATION OF SENATOR-JUDGE LEGARDA

As to the matter of the Presiding Officer, Senator Legarda delivered the following statement:

Where the Constitution is silent, the intent of the framers should guide the choice of the Presiding Officer. Any departure from the traditional arrangement must be approached with caution, as it may place the validity and the legitimacy of the entire impeachment in doubt.

I also respectfully place on record that there is a pending challenge before the Supreme Court involving the June 3 Senate proceedings, including the authority of the Body then, that adopted Senate Resolution No. 430.

This manifestation is made to place on record that we are not yielding our position in the pending case, and is without prejudice to the final determination of the Supreme Court.

STATEMENT OF PRESIDING OFFICER ESCUDERO

Presiding Officer Escudero delivered the following statement, laying down the ground rules for the impeachment proceedings:

Sa mga ginagalang kong kapwa Senator-Judge, *sa ating mga minamahal na kababayan, sa mga partido sa kasong nakabinbin ngayon sa Senado, isa pong maganda at pinagpalang hapon sa ating lahat.*

Sa araw na ito, muling gagampanan ng Senado ang isa sa mga pinakasagradong tungkuling iniatas ng Saligang Batas, ang pag-upo natin bilang isang Impeachment Court *para litisin at husgahan ang Pangalawang Pangulo. Kinikilala ng ating Saligang Batas na may mga opisyal na may hawak ng kapangyarihan at pananagutan na napakabigat. Para sa kanila lamang itinakda ang* impeachment *bilang tanging paraan para sila ay panagutin.*

Article XI, Section 2 of the Constitution enumerates these officials: the President, the Vice President, the members of the Supreme Court, members of the Constitutional Commissions, and the

Ombudsman. They are not ordinary public officers. According to the late former Senate President Juan Ponce Enrile, they hold "the highest and most sensitive offices of government." They may be removed from office only upon conviction for offenses of the highest constitutional gravity: culpable violation of the Constitution, treason, bribery, graft and corruption, other high crimes, or betrayal of the public trust.

Impeachment is a means to preserve the constitutional government through the removal and disqualification, if so warranted, of an unfit official from a position of public trust. *Limang opisyal pa lamang ang na-*impeach *ng Camara de Representantes sa ating kasaysayan sa ilalim ng* 1987 Constitution.

Una, si dating Pangulong Joseph Estrada *noong* 2001, *na ang paglilitis ay naungusan ng mga pangyayaring humantong sa* EDSA II. *Ikalawa, si* Ombudsman Mercy Gutierrez *noong* 2011 *na nagbitiw bago pa man mabuksan ang kaniyang paglilitis ng Senado. Ikatlo, si* Chief Justice Renato Corona *noong* 2011 *din, na nilitis, napatunayang nagkasala, at inalis sa tungkulin ng* Impeachment Court *bilang Punong Mahistrado. Ikaapat, si dating* Comelec Chairman Andres Bautista *noong* 2017, *bagama't nagbitiw siya sa puwesto bago pa man mapadala ang* Articles of Impeachment *sa Senado. At ikalima, si* Vice President Sarah Duterte *noong* 2025, *subalit ang nasabing* Articles of Impeachment *ay idineklara ng Korte Supremang* null and void ab initio *kung kaya't ito ay in-*archive ng *Senado. Siya ay muling na-*impeach *sa kasalukuyang taon, at ngayon ay nahaharap sa paglilitis na ito.*

Ipinakikita lamang ng maikling talaang ito na ang impeachment *ay hindi isang pangkaraniwang kaganapan. Turing nga ng Korte Suprema:* "It is the most difficult and cumbersome mode of removing a public officer from office." *Subalit ang paglilitis na ito ay hindi lamang hindi pangkaraniwan; ito ay tunay na bukod-tangi.*

Bakit? Una, si Bise Presidente Sara Duterte *ang kauna-unahang opisyal na dalawang beses na na-*impeach *ng Mababang Kapulungan. Pangalawa, siya ang kauna-unahang Bise Presidente na haharap sa paglilitis ng isang* impeachment court, *at pangalawang opisyal lamang na halal ng sambayanan na sasailalim sa prosesong ito. Pangatlo, siya ay hinalal nang may pinakamalaking mandatong pinagkaloob ng sambayanang Pilipino sa sinumang kandidato sa ating kasaysayan—mahigit 32 milyon o* 61% *ng kabuuang boto para sa Ikalawang Pangulo. Pang-apat, ang* Articles of Impeachment *laban sa kanya ay in-endorso ng 277 na miyembro na kumakatawan sa ating mga mamamayan mula sa iba't ibang distrito at sektor, at ng ating bansa, na katumbas ng mahigit 80% ng kabuuang miyembro ng Càmara de Representantes.*

Terminating an elected mandate before the end of its term is among the most drastic acts our Constitutional democracy can undertake. This is why the trial must be guided by prudence, tempered by caution, and marked with unquestionable impartiality. We must avoid even the appearance of impropriety and observe the cold neutrality of an impartial judge at all times.

May I, therefore, caution my fellow senator-judges, the prosecutors, the respondent, and their respective counsel and witnesses, to refrain from making any comments and disclosures to the public pertaining to the merits of this trial, as mandated by the impeachment rules itself.

Let us heed the words of the Supreme Court that said, "Impeachment is not a chance to settle political scores; it is not a stage for political theater or personal attacks." Because when the focus shifts to the person rather than the alleged wrongdoing, the process loses its integrity. As Presiding Officer, I shall do my part to uphold the fairness and integrity of this process and shall see it through to its proper conclusion.

At this point, I would like to thank my colleagues for their trust and confidence. I did not seek, nor did I ask, for this responsibility, but neither will I shirk from fulfilling this duty without fear or favor.

This now brings me to the threshold questions that will guide the conduct of this trial and the rulings of the Chair. First, what is the number of votes needed to convict the respondent? Second, what is the quantum of proof required to sustain a judgment of conviction or acquittal in these proceedings? Third, how strictly or liberally will this court apply the *Rules* in resolving questions of procedure and evidence?

On the first issue, the Constitution provides that no person shall be convicted without the concurrence of two-thirds of all the Members of the Senate. With 24 Members of the Senate, a literal interpretation of this means that conviction requires the affirmative vote of at least 16 Senator-Judges.

This literal interpretation finds direct support in the 2000 case of *Bayan v. Zamora,* which concerned the Senate's compliance with the two-thirds vote required to concur in a treaty. Despite having only 23 incumbent senators at that time, then-Sen. Gloria Macapagal-Arroyo was elected as Vice President. Therefore, there were only 23 senators.

The court held that the charter provides that the Senate shall be composed of 24 senators. Without a tinge of doubt, two-thirds of the figure, or not less than 16 members, is in unquestionable compliance with the requisite number of votes mentioned in Section 21 of Article VII.

It behooves, therefore, all of us to observe the same fidelity with the Constitution in this trial, which affects not only the mere ratification of a treaty but more so affects the substantial rights of the respondent as well as the sovereign will of the people as expressed in the overwhelming mandate given to her.

This is the prevailing law today, and whether we agree with it or not, we must abide by it. However, those who disagree are not without recourse, because this is without prejudice to the right of any party who holds a different view to seek judicial relief. And should the Supreme Court—which possesses the sole authority to interpret the Constitution by virtue of its power of judicial review—render a different ruling on this question other than what the Chair has stated, this court and this Representation shall faithfully abide by that ruling of the Supreme Court.

On the question of quantum of proof, given that impeachment is a *sui generis* constitutional proceeding, the standards of proof that govern administrative, civil, and criminal proceedings do not apply. However, this does not mean that senator-judges shall rely solely on their conscience in deciding this case. No less than the Supreme Court also said that "Decisions regarding whether to acquit or convict must be based upon clear charges supported by sufficiently clear and convincing evidence."

Furthermore, let me be clear that the burden of proof in these proceedings rests upon the prosecution. It does not and will not shift. The respondent is afforded the presumption of innocence and has no obligation to disprove the charges against her.

Finally, we turn to the application of the *Rules of Court* in these proceedings. Rule I, Section 6 of the *Rules of Court* provides that the rules shall be liberally construed in order to promote their objective of securing a just, speedy, and inexpensive disposition of every action in proceeding.

We are also guided by the Supreme Court's *Bench Book for Trial Judges*, which reflects a long-standing principle of adjudication. In case of honest doubt about the admissibility of evidence, it is a better policy to rule in favor of admission and let the senator-judges decide whether to give it little or no weight when deciding upon the case in the final outcome.

But let me be clear: a liberal construction of the *Rules* is not a license to ambush the opposing party, bypass due process, or introduce unverified evidence that would prejudice the fair and orderly conduct of this trial.

Accordingly, consistent with the demands of due process, fair play, and the orderly administration of justice, the Chair will construe the rules liberally so that, number one, the prosecutors may be able to adequately present their case; that the respondent may be able to rigorously test it; number three, that the senator-judges may be able to weigh the evidence for themselves; and fourth, so that the Filipino people may hear the whole and impartial truth regarding the allegations against the Vice President.

Let us remember what our oath requires us: to do impartial justice according to the Constitution and the laws. *Hindi po tayo nandito upang itaguyod ang anumang pampulitikal na* agenda. *Hindi tayo narito upang paglingkuran ang kagustuhan ng alin mang panig. Narito tayo upang alamin ang katotohanan at, sa pamamagitan nito, mapairal ang hustisyang walang kinikilingan.*

Ang tungkulin natin bilang mga hukom ay hindi maaaring talikuran. Sa gitna nito, batid ko ang mga problemang kinakaharap ng ating bayan na patuloy nating dapat pa ring pagtuunan ng buong pansin at hanapan ng solusyon. Tayo ay mga senador bago tayo umupo bilang mga hukom, at mananatili tayong mga senador na patuloy na magsusumikap na tugunan ang mga pangangailangan ng ating mga kababayan bilang Senado, at hindi mababago ito.

Kaya't aking hiling at dalangin na huwag sana malunod ang diwa ng pagkakaisang nagbigkis sa atin, gaano man katindi ang mga debate at pagtatalo sa hukumang ito, dahil anuman ang magiging kalabasan ng paglilitis na ito, laging kinakailangan ang Senadong nagkakaisa.

Dalangin ko po na sana pagkalooban tayo ng katatagan, karunungan, pagpapakumbaba, at pag-unawa upang magampanan nating lahat ang ating tungkulin bilang mga hukom.

Pagpalain po lahat sana tayo ng Poong Maykapal.

APPROVAL OF THE *JOURNAL*

Upon motion of the Presiding Officer, there being no objection, the Body dispensed with the reading of the *Journal* of the Senate sitting as an Impeachment Court on May 18, 2026 and considered the same as approved.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Senator-Judge Cayetano (A) expressed appreciation and affirmation of the Presiding Officer's statement that the determination requiring a two-thirds vote for all Members of the Court, or 16 votes for conviction constituted the ruling of the Court. He stated that the clarification resolved a threshold issue and provided guidance to both the prosecution and the defense at the outset of the proceedings.

He thereafter registered his continuing objection with respect to the issue involving the Presiding Officer and manifested his intention to submit a written explanation for inclusion in the record.

The Presiding Officer took note of the continuing objection and authorized Senator-Judge Cayetano (A) to submit the extended written explanation for inclusion in the record.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (P)

Senator-Judge Cayetano (P) requested that the prosecution and defense panels be allowed to have water and, when necessary, food for health reasons, despite the prohibition under the *Rules*. She likewise requested that the prosecution and the defense be permitted to take bathroom breaks,as necessary, and to stand, move to the back of the Session Hall, and stretch their legs during the proceedings without having to seek prior permission. She explained that the requests were made in consideration of the health and well-being of the prosecution and defense panels.

The Presiding Officer stated that the matter would be taken up with the parties.

CALLING OF THE CASE

Upon direction of the Presiding Officer, the Clerk of Court called Case No. 004-2026, entitled *"In the Matter of the Impeachment Trial of Vice President Sara Zimmerman Duterte."*

MANIFESTATION OF PROSECUTOR LUISTRO

Prosecutor Luistro stated that there are 11 prosecutors from the House of Representatives and 15 private prosecutors.

APPEARANCES

Upon direction of the Presiding Officer, the following prosecutors entered their appearances:

Panel of Prosecutors of the House of Representatives:

Gerville "Jinky Bitrics" Luistro
Jose Manuel I. Diokno
Leila De Lima
Joel Chua
Arlene "Kaka" Bag-ao
Lorenz Rivera Defensor
Jonathan Keith Flores
Ysabel Maria Jorge Zamora
Terry Ridon
Ramon Rodrigo L. Gutierrez
Lordan Suan

MANIFESTATION OF PROSECUTOR DIOKNO

Prosecutor Diokno manifested that the prosecution had already submitted the names of the public and private prosecutors who formally entered their appearances.

REMARKS OF THE PRESIDING OFFICER

Presiding Officer Escudero clarified, for the record and for the guidance of the prosecutors, that under the *Rules*, the proper term is Panel of Prosecutors of the House of Representatives. The Presiding Officer further stated that the term "private prosecutors" should instead be referred to as "Counsels for the Prosecutors."

APPEARANCES

(*Continuation*)

The following Counsels for the Panel of Prosecutors of the House of Representatives likewise entered their appearances:

Lorna Patajo-Kapunan
Amando Virgil D. Ligutan
Mae Sancho Divinagracia
Lino Chris Patajo Kapunan
Sonya Castillo
Deanna Melissa Lorenzo-Singian
Marforth T. Fua
Erwin G. Matib
Justine Lamarca
James Bryan Ibrahim Alih
Reynaldo Robles
Bettina Nepomuceno Zamora
Theodore Te
Benjamin Sigua Tolosa Jr.

INQUIRY OF THE PRESIDING OFFICER

Presiding Officer Escudero inquired on whether there were any additional entries of appearance and requested Prosecutor Luistro to confirm the number of appearances entered on behalf of the Panel of Prosecutors of the House of Representatives.

Prosecutor Luistro manifested that 14 Counsels for the Panel Prosecutors had entered their appearances during the day's proceedings. She further stated that, as previously manifested by Prosecutor Diokno, a written Entry of Appearance had already been filed with the Impeachment Court.

The Presiding Officer directed that any counsel for the Panel of Prosecutors who intended to appear or participate in the trial and had not yet formally entered their appearances, should do so during the proceedings.

Prosecutor Luistro manifested that all 15 lawyers for the Panel of Prosecutors had filed their written Entries of Appearance with the Impeachment Court. She further explained that the Articles of Impeachment would be presented by four separate teams, thereby necessitating the participation of additional counsel.

INQUIRY OF SENATOR-JUDGE CAYETANO (P)

Senator-Judge Cayetano (P) inquired as to how many members of the Panel of Prosecutors were lawyers. Prosecutor Luistro replied that all members of the Panel were members of the legal profession.

APPEARANCES

(*Continuation*)

Upon the direction of the Presiding Officer, the following members of the Defense Panel entered their appearances:

Sheila Sison
Gregorio Y. Narvasa II
Christine R. Ferrer
Michael Wesley Poa
Carlo Juaquin Narvasa
Mark C. Vinluan
Justin Nicol B. Gular
Lyndon Miguel C. Bacquel
Ralph Borja Bodota
Roberto Narvasa Batungbakal
David Ronell N. Golla/ VII
Karol Grace G. Oroceo
Charlaine Radoc
Francesca Marie V. Flores
Miguel Carlos Albaro Fernandez

ORDERS OF THE PRESIDING OFFICER

Presiding Officer Escudero acknowledged the formal appearance of counsel for respondent Vice President Sarah Zimmerman Duterte, noting that although the latter was not personally present, she was duly represented by counsel.

He stated that, pursuant to Rule 7 of the *Rules of Procedure on Impeachment Trials*, the Summons directing the respondent to answer the Articles of Impeachment had been issued on May 19, 2026, and was duly served by the Sergeant-at-Arms on May 20, 2026. He thereupon ordered that the corresponding Return of Service, executed under oath before the Clerk of Court, be entered in full into the records pursuant to Rule 8.

The Presiding Officer likewise acknowledged receipt of the pleadings, comments, manifestations, requests, and other submissions filed by the parties, and ordered that all such filings, together with the issuances and orders of the Clerk of Court issued through the Presiding Officer, be deemed read into, the records of the case.

He then directed the parties to prepare for their opening statements and reminded them that, under the *Rules*, only one counsel from each side may deliver an opening statement.

Prosecutor Luistro was designated to deliver the opening statement for the prosecution, while Attorney Sison informed the Court that she would deliver the opening statement for the defense.

MANIFESTATION OF PROSECUTOR LUISTRO

Prosecutor Luistro moved that the four Articles of Impeachment be read into the record and that the respondent's plea be entered with respect to each Article.

In support of the motion, she cited Rules 7, 9, and 21 of the *Rules of Procedure on Impeachment Trials*, arguing that Rule 7 contemplates the entry of a plea where the respondent or counsel fails to appear or file an Answer; that Rule 9 requires the respondent to be called upon to answer the Articles of Impeachment and the appearance of counsel to be entered into the record; and that Rule 21 provides that all Articles of Impeachment shall first be tried before the Senator-Judges vote on whether the impeachment is sustained, thereby indicating that each Article is to be considered separately.

She further argued that reading each Article into the record and requiring a corresponding plea would ensure compliance with the Constitution and the *Rules*, uphold the respondent's right to due process by informing her of the nature of each accusation before the entry of a plea, and recognize that the four Articles are based on distinct factual allegations and grounds, such that different pleas may be entered with respect to each Article.

She maintained that the proposed procedure was likewise consistent with the separate voting of the Senator-Judges on each Article at the conclusion of the impeachment trial.

RESPONSE OF THE DEFENSE

Attorney Sison inquired whether the prosecution's motion effectively sought the arraignment of the respondent and requested that the prosecution identify its legal basis.

Responding to the prosecution's reliance on Rules 7, 9, and 21 of the *Rules of Procedure on Impeachment Trials*, Attorney Sison argued that none of the cited provisions supported the requested procedure.

With respect to Rule 7, Attorney Sison contended that the provision applies only when the respondent fails to appear or file an Answer, in which case a plea of "Not Guilty" is entered. She maintained that the rule neither requires nor contemplates an arraignment and was inapplicable because the respondent had appeared through counsel and had timely filed her Answer.

As to Rule 9, she argued that it merely requires that the respondent be called upon to answer the Articles of Impeachment and that the appearance of the respondent or counsel be entered into the record. She asserted that these requirements had already been satisfied through the respondent's appearance by counsel and that nothing in the *Rules* requires the reading in open court of the 23-page Articles of Impeachment.

Regarding Rule 21, Attorney Sison acknowledged that the Senator-Judges would vote separately on each Article of Impeachment, but emphasized that the *Rules* first require the completion of the trial before such voting. She argued that the provision had no bearing on the prosecution's motion to read the Articles into the record and require the entry of separate pleas.

She concluded that, since the respondent had appeared through counsel in accordance with the Court's notice and had timely filed her Answer, the defense could validly enter the respondent's plea on her behalf.

RULING OF THE PRESIDING OFFICER

Presiding Officer Escudero denied the prosecution's motion to have the Articles of Impeachment read into the record and to require the entry of separate pleas. He ruled that the Articles had already been deemed read and made part of the record upon their referral by the Senate to the Committee on Rules for the issuance of summons.

With respect to the entry of a plea, he held that, under the *Rules of Procedure on Impeachment Trials*, a plea of "Not Guilty" is entered only when the respondent fails to file an Answer. Since the respondent had timely filed her Answer and appeared through counsel, he ruled that the requested procedure was unwarranted.

As regards the reading of the Articles of Impeachment, Presiding Officer Escudero ruled that each Article would instead be read immediately prior to the Senator-Judges' final vote on the corresponding Article.

Thereafter, Presiding Officer Escudero directed Prosecutor Luistro to proceed with the prosecution's opening statement. He likewise reminded counsels to address all remarks to the Chair rather than to opposing counsel and informed the prosecution that it would be allotted 15 minutes for its opening statement.

OPENING REMARKS OF THE PROSECUTION

Prosecutor Luistro delivered the following opening remarks for the prosecution:

Maraming Pilipino ang nagtatanong ngayon: Bakit mahalaga ang paglilitis na ito? Ano ang kaugnayan nito sa buhay ng ordinaryong Pilipino?

Lubos po naming nauunawaan ang mga tanong na iyan. Sa katunayan, may isang drayber na nagtanong: Paano sasapat ang kita sa kalasada upang mapakain niya ang kaniyang pamilya?

May isang OFW na nagtatanong: Hanggang kailan kailangan lumayo upang mapaaral niya ang kaniyang mga anak?

May isang guro na nagtatanong: Paano pagkakasyahin ang kaniyang sahod sa dami ng utang na hinuhulugan?

May isang mangagawa na nagtatanong: Hanggang kailan magtitiis sa pansamantalang trabaho at kakarampot na suweldo?

Sa unang tingin, maaaring sabihin na malayo sa buhay nila ang paglilitis na ito. Ngunit hindi—hindi po. Sapagkat ang usapin ngayon ay patungkol sa isang bagay na pag-aari nilang lahat: ang kanilang pera, ang kanilang tiwala, ang kanilang karapatang maningil ng pananagutan mula sa mga pinuno na kanilang pinagkatiwalaan.

Kapag ang isang empleyado ay nagkamali ng paggamit ng pera ng kompanya, siya ay pinagpapaliwanag. Kapag ang isang barangay treasurer *ay hindi maipaliwanag ang nawawalang pondo, siya ay iniimbistigahan. Kapag ang isang* principal *ay naglustay ng pera ng bayan, kahit limang libo lang yan, siya ay pinaparusahan. Natural lamang na magtanong ang sambayanan: Kung ang ordinaryong Pilipino ay pinapanagot, bakit hindi ang pinakamakapangyarihang opisyal ng pamahalaan?*

Ito ang dahilan kung bakit mahalaga ang paglilitis na ito. Hindi upang usigin ang isang tao, hindi upang maghiganti sa kalaban, hindi upang manalo sa politika, kundi upang sagutin ang isang tanong na napakahalaga sa kinabukasan ng ating Republika: May saysay pa ba ang pananagutan sa ating bansa?

Sapagkat ang kasong ito ay higit at lampas sa sinumang opisyal, hiigit at lampas sa anumang partido, at higit at lampas sa alin mang administrasyon.

The framers of the Constitution understood that there may come a day when extraordinary power would be entrusted to extraordinary office. They also understood that there may come a day when trust would be broken. And that is why they gave the House of Representatives the power to impeach, and the Senate the duty to judge—not to punish political opponents, not to settle political scores, but to protect the Republic itself.

That is why the Constitution declares: "Public office is a public trust." *Ang kapangyarihan ay hindi pag-aari ng sinumang opisyal; hiram lamang ito sa taumbayan, at ito ang dahilan kung bakit naririto tayo ngayon.*

Your Honors, the prosecution will present exactly what the Constitution requires: evidence. *Hindi tsismis, hindi haka-haka, hindi propaganda, at lalong hindi* socmed narrative—evidence, official records, financial documents, government reports, video recordings, statements under oath, and independent findings of institutions created by law. *Mga dokumento na hindi bumoboto. Mga* record *na walang partido. Mga katotohanan na walang kulay pampolitika. Sa unang tingin, maaaring magmukhang magkakahiwalay ang* four Articles of Impeachment: confidential fund, unexplained wealth, bribery and corruption, *at* threat against constitutional order. But these are not four separate stories. These are four chapters of the same story: a story about power exercised without accountability, a story about public trust betrayed, and a story about a public office that stopped answering to the public.

On the first Article of Impeachment, the evidence will show that more than P612 million in confidential funds entrusted to the Office of the Vice President (OVP) and the Department of Education (DepEd) were disbursed, transferred, and liquidated under circumstances that cannot withstand scrutiny. Six hundred twelve million pesos.

Hindi ito pera ng gobyerno; pera ito ng sambayanan, pera ng manggagawa, pera ng magsasaka, pera ng OFW, pera ng guro, pera ng bawat Pilipino na nagbabayad ng buwis at nagtitiwala na gagamitin ito nang tama. The evidence will show liquidation reports supported by questionable documents. The evidence will show acknowledgment receipts bearing names that government records could not verify—names that transformed accountability into a mockery; *pananagutan na naging kalokohan*—names that insulted the intelligence of the Filipino people: Mary Grace Piattos, Milky Secuya, and Kokoy Villamin.

On the second Article of Impeachment, the evidence will show financial transactions involving billions of pesos associated with the respondent and her husband. Billions. *Hindi milyon, bilyon. At habang milyon-milyong Pilipino ang nagtatrabaho at nag-iipon buong buhay upang magkaroon ng sariling bahay, makapagpaaral ng mga anak, at magkaroon ng konting seguridad para sa pamilya, aba, bilyon-bilyong piso ang dumaan sa mga* bank account *na hindi maipaliwanag nang maayos.*

This Article is not about wealth. This is about accountability. This is about explanation. If wealth was lawfully acquired, where is the lawful explanation? If transactions were proper, where is the complete accounting? If numbers truly add up, then why do they refuse to reconcile?

On the third Article of Impeachment, the evidence will show bribery, graft, and corruption through the distribution of cash payments and monetary gifts to officials under the supervision of the respondent. This article is not simply about envelops. This is about the institution. This is about whether loyalty was purchased rather than earned. Government cannot function if loyalty is purchased instead of earned.

Kapag nabibili ang katapatan, nawawala ang integridad. At kapag nabibili ang opisyal, nababudol ang bayan. Perhaps the greatest tragedy is where the conduct allegedly occurred: in the DepEd, the institution entrusted with teaching future generations honesty, responsibility, and integrity.

On the fourth Article of Impeachment, the evidence will show culpable violation of the Constitution: high crime, betrayal of public trust, through conduct that threatens constitutional order. Among all allegations before this court, none strikes more directly at the heart of constitutional order than this one. *Ito na po ang pinakamatindi.* And unlike in many cases, which depend upon competing accounts, this evidence comes substantially from the respondent's own recorded public statements. The court will see them. The court will hear them. The court will judge them. Public officials may disagree. We may criticize one another. They may compete fiercely for power. That is democracy. But democracy ends when violence begins.

Sa kasaysayan ng ating Republika, walang Bise Presidente na may kaibigan na hitman, *ngayon lang. Walang Bise Presidente na nagpapapatay ng Pangulo, ngayon lang. Walang Bise Presidente na handang magpapatay para lamang makaupo sa puwesto, ngayon lang.*

The Constitution provides many means on how to resolve political conflict: election, legislation, public debate, judicial review, and even impeachment. But it does not permit threats. It does not permit violence. It does not permit people entrusted with power to place themselves above constitutional restraints.

Your Honors, at the center of this case lies a simple question, perhaps the most important to any republic: When the people entrust power to a public official, does the public official remain accountable to the people, or do the people become accountable to the public official? The Constitution's answer is very clear: power belongs to the people.

Public office is merely borrowed, and every borrowed power carries with it the obligation to account for its use. If a barangay treasurer must account for public funds, then so must the Vice President. If an ordinary public servant can be investigated, then so can the highest officials of the government. If an ordinary citizen is expected to obey the rules, then surely those who govern them must obey them first. Otherwise, what lessons do we teach our children? That there is a law for the powerful and another for everyone else? That accountability exists only for the weak? That public office grants immunity against accountability? Your Honors, this is not the republic envisioned by the Constitution. This is not the republic deserved by the Filipino people. Therefore, the prosecution asks only this: look at the evidence, listen to the witnesses, examine the records, and follow the evidence wherever it leads. Judge this case, not by politics, not by popularity, not by fear, and not by loyalty. Judge this case by the Constitution. Judge this case by the evidence.

Years from now, future generations will not remember today's political alliances. They will not remember today's headlines. They will not remember today's slogans. What they will remember is when accountability was tested, the institutions of the Republic stood firm. They will remember only one thing: what this Court did when the Constitution called. Future generations will not ask how powerful the respondent was, and they will not ask how loud the political debate became. But they will ask one thing: when the Constitution called, did the Republic answer?

Your Honors, this is that moment. This is the moment the Constitution anticipated. This is the moment when accountability must mean exactly what it says. This is the moment when public office must truly remain in public trust. This is the moment when the Republic must demonstrate that laws are applied equally to the powerful and the powerless alike.

At matapos marinig ang mga saksi, matapos masuri ang mga dokumento, matapos matimbang ang lahat ng ebidensya, ang prosekusyon ay naniniwala at naninindigan, isa lamang ang maliwanag na konklusyon: ang tiwalang ipinagkaloob ay nilabag, ang kapangyarihang ipinahiram ay inabuso, at ang Konstitusyon mismo ang humihingi ng pananagutan. Amid the clarity of the mandate of the Constitution, political noise continues. Political squabble continues. Political division continues. Please let me conclude with *"salus populi est suprema lex"*—the welfare of the people is the supreme law.

REMARKS OF THE PRESIDING OFFICER

Presiding Officer Escudero informed the Body that the counsel for the respondent would have 15 minutes to give the opening statement of the defense panel, adding that an additional three minutes could be utilized should additional time be needed.

Thereafter, Presiding Officer Escudero recognized Atty. Sheila Sison, counsel for Vice President Sara Zimmerman Duterte.

OPENING STATEMENT OF ATTORNEY SISON

Atty. Sheila Sison delivered the following statement:

As we begin today the impeachment trial of the Vice President, and in the days ahead, this court will undertake its constitutional task of receiving and weighing the parties' evidence, and ultimately to decide whether these pieces of evidence justify either a judgment of conviction or acquittal, guided only by its members' conscience and their solemn oath to do impartial justice. The present undertaking of this court, therefore, not only carries the weight of the Constitution but also the imprint of our nation's history, because the Filipino people have shown that they never forget. We, as a nation, never forget.

But why is the act of remembering important? What does it matter to our history and to ordinary Filipinos? Because in this trial, the prosecution proposes that we unseat the Vice President

elected to office by more than 32 million Filipino people, more than the number of votes cast for the sitting President, and much greater than any of the votes secured by each of the members of the House of Representatives who now are here to prosecute her and seek to undo this people's choice. *Sa makatuwid, ang malinaw na layunin sa likod ng mga paratang na ito ay ang pagpapatalsik sa isang bise presidenteng inihalal ng mahigit 32 milyong Pilipino at bunga ng kanilang malayang pagpapasya.*

Whatever one's political persuasion is, the reality is that the prosecution now comes before this Court to remove a Vice President chosen by an overwhelming number of the electorate. You all have heard the prosecution say repeatedly that this is because they seek accountability, that the people have a right to hold their leaders accountable, and this is not a matter of debate.

Indeed, the people have a right to demand accountability from their leaders. What we have yet to hear from the prosecution, however, is this: when the Constitution declared, under Section 1, Article XI, that public office is a public trust, and that "public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives," the Constitution does not only speak to the Vice President. It also demands the same standards from the prosecutors. Being public officers themselves, the public prosecutors and the Members of the House of Representatives are also held to the same constitutional standards.

And so we must remember what history tells us: this is not the first time that Members of the House of Representatives have attempted to remove the Vice President, and in a manner not compliant with the Constitution.

In a July 25, 2025 Decision, the Supreme Court unanimously declared in *Duterte v. House of Representatives*, G.R. Nos. 278353 and 278359, that the impeachment proceedings in the House of Representatives were tainted with grave abuse of discretion, rendering the Articles of Impeachment that the House transmitted last year to the Senate as void *ab initio*.

Early this year, the Supreme Court unanimously denied, with finality, the House of Representatives' Motion for Reconsideration of that Decision, with a reminder that while impeachment is a powerful democratic process to call out corruption and grave abuse, impeachment can be abused, and that impeachment should never be abused to maintain the hegemonic dominance of greed by shaming those who occupy high government positions into preventing them from doing what they were sworn to do. But perhaps the most enduring reminder of the Supreme Court that we must not forget in the entire course of this trial is that, in the words of the Court—the rule of law that does justice is our lodestar—and that justice includes accountability. Justice includes fairness. Without fairness, there is abuse. This fairness is what our democracy is all about.

It is in light of these reminders that we draw attention to certain fundamental legal principles that we think we must not forget throughout this trial. *Mga batayang prinsipyo na dapat nating tandaan sa buong panahon ng paglilitis na ito, anuman ang ating kulay o politika.* If we are to be true and honest to our proclaimed values, such as the pursuit of accountability, justice, and integrity in our system of government, then we must remain possessed of an unyielding resolve to ensure that the trial and judgment in this case are done in accordance with the command of the Constitution, the majesty of the law, and the discipline required by the rules.

Otherwise, those who stand in sanctimonious judgment of the Vice President will send a clear message that the law can be bent when it suits the convenience of the powerful, and that justice can be sacrificed at the altar of partisan interest. *Mahalagang tandaan ang mahigpit na paalala ng ating Korte Suprema:* "Impeachment is not a purely political proceeding. It is primarily a legal, political, and constitutional mechanism." *Ibig sabihin, kailangang naaayon sa batas at Konstitusyon ang anumang proseso nito.*

According to the Constitution, it is the Senate that shall have the sole power to try and decide all cases of impeachment. This power is now shared. The Constitution gives no other body, department, tribunal, agency, or a mere committee of any of these institutions the power to try an impeachment case. The House merely initiates; the Senate tries.

Yet, we have seen the Committee on Justice conduct what its chairperson, the lead prosecutor in this case, described as a "mini-trial," which, as we all had witnessed, became a vast fishing

expedition of alleged evidence that was not even part of the impeachment complaints under its consideration, and which the respondent was made to answer.

In that mini-trial, we saw how the purported pieces of evidence were curated to construct a narrative against the Vice President even before this case reached trial. The Articles of Impeachment, presented before this Court as an exercise of the House's power to initiate impeachment cases, are, therefore, in subverting truth, the product of an impermissible intrusion of clear constitutional boundaries.

Over the course of the impeachment trial, the prosecution will attempt to convince this Court—and the court of public opinion—that the allegations in the Articles of Impeachment are supported by materials they obtained during their mini-trial, and that evidence exists to sustain a judgment of conviction. They will claim that the notices of suspension and disallowance issued by the COA and the COA decision denying the Vice President's appeal of that disallowance support their accusations, with the release of that decision by the COA conveniently timed and coinciding with the committee hearings. They will claim that the certifications of the PSA confirm their allegation that recipients of the confidential funds do not exist, even though they listed one Mary Grace Piattos in their Pre-Trial Brief as among their witnesses, or that the liquidation of the confidential funds in a span of 11 days was allegedly swift as to invite suspicion. The prosecution will assert that the supposed NBI findings of similar signatures across a number of acknowledgment receipts submitted to the COA are supportive of their conclusion that the disbursements of the confidential funds were irregular.

What the prosecution avoided informing the public so far are these: That it was the then-Secretary of the Department of Budget and Management, Amenah Pangandaman, who issued a memorandum for the President, through Executive Secretary Lucas Bersamin on October 18, 2022, recommending the approval of the Office of the Vice President's request for confidential funds; that the Office of the President did, in fact, approve that recommendation of the DBM through a memorandum from the Executive Secretary dated November 28, 2022, and signed by the former Executive Secretary Lucas Bersamin by order of the President; that on December 13, 2022, the DBM issued a Special Allotment Order Number – SARO-BMB-C-22-0012004, signed by former Secretary Amenah Pangandaman, to cover the request for financial assistance, subsidy, and confidential funds of the OVP; that notwithstanding the impending end of the fiscal year, the confidential funds were nonetheless released to the OVP on December 20, 2022, under this documented approval process; that the COA decision is far from being final; that there is a pending motion for reconsideration of that decision; that, assuming *arguendo*, the COA denies that MR today, or while this trial is ongoing, as may plausibly happen under the circumstances, the respondent accused still has legal remedies available under the law and rules, and can file a petition to question the validity of any forthcoming resolution of the COA on the MR under Rule 64, via Petition for Certiorari under Rule 65 of the Rules of Court; and, more importantly, that nothing in the Notice of Disallowance or COA decision states any findings of supposed misuse of confidential funds, as confirmed by Atty. Gloria Camora when she was asked on this point during the committee hearing on April 14, 2026.

Across all other articles, the prosecution will lay a landscape of what it deems to be their evidence in support of their speculations and conclusions.

We are not strangers to all these accusations, precisely because this was not the first time these narratives were foisted into the minds of the general public. We have heard the same tales and stories of these accusations since 2024, when the House conducted its Quad-Comm hearings and, most recently, the mini-trial of its Committee on Justice. But what we must not forget, amid all these accusations is the fundamental legal principle that the burden of proof never shifts—the burden of proof never shifts. He who accuses must prove his allegations with evidence that meets not only the degree of proof required and also meets the evidentiary standards of admissibility, credibility, relevance, materiality, and competence.

We, therefore, should not lose sight of the core principle that the burden of proof is on the prosecution, and unless it discharges that burden, the accused need not even offer evidence on her behalf and she will be entitled to an acquittal. This is the law then; this is the law now.

And the underlying principle for this burden of proof is simple—under our Constitution, every accused is presumed innocent until proven otherwise. An accused has in her favor the presumption

of innocence, which the Bill of Rights guarantees. This also brings to the fore the reality that, in the words of the Supreme Court in *People v. Pagal*, "The individual citizen is but a speck of particle or molecule vis-à-vis the vast and overwhelming powers of government, and his only guarantee against oppression and tyranny are his fundamental liberties under the Bill of Rights, which shield him in times of need."

*Sa madaling salita, kinikilala ng ating Saligang Batas na sa bawat paglilitis, ang isang indibidwal ay nahaharap sa malalim at napakalaking makinarya ng buong estado, at ang tanging sandigan lamang niya laban sa anumang pa*ng-aabuso *ng kapangyarihan ay ang kanyang mga batayang karapatan sa ilalim ng ating Konstitusyon. Kaya't mahalagang linawin na sa gitna ng pagtatangkang ikondisyon ang kaisipan ng mamamayang Pilipino, at sa gitna ng walang humpay na komentaryo sa mga pampublikong espasyo, wala pang maituturing na anumang ebidensya o alegasyon na nagpapatunayan ang prosekusyon sa simpleng dahilan na ang bawat ebidensiya ay kailangang dumaan muna sa paglilitis at pagsusuri ng korteng may tamang kapangyarihan sa ilalim ng ating Saligang Batas.*

Higit sa lahat, ang anumang paglilitis ay kailangang naaayon sa itinatakda ng ating batas at Konstitusyon, at hindi lamang sa kagustuhan ng iilang may hawak ng kapangyarihan.

One might ask: "Why is it important that we must not forget these basic principles? The ruling of the Supreme Court tells us why. The Bill of Rights applies to the entire impeachment process because, inasmuch as our Court recognizes that impeachment is a political process, it reminds us that it is not a purely political process but a legal and constitutional mechanism. Thus, if we are to uphold the rule of law, serve justice, and invoke the accountability mechanism, then this Court—and we as a people—must guarantee that all efforts to hold our leaders accountable must be done right. This we must not forget.

I thank the Court and the public for the privilege of your time.

May God bless our country.

RULING OF THE PRESIDING OFFICER ON PRE-TRIAL MATTERS

Presiding Officer Escudero proceeded to resolve the matters raised during the Pre-Trial Conference, as well as the pending motions of the parties.

1. On the sequence of the presentation of the Articles of Impeachment, he noted that the Pre-Trial Order granted the prosecution the discretion to determine the order in which the Articles would be presented.

   In response to the Court's inquiry, Prosecutor Diokno manifested that the prosecution would present the Articles in the following order: Article IV (grave threats), Article I (confidential funds), Article III (bribery), and Article II (unexplained wealth).

   The Presiding Officer stated that, beginning Tuesday, July 7, 2026, upon the issuance of subpoenas for the first set of witnesses, the trial would commence with the presentation of evidence under Article IV. He likewise stated that the respondent would be accorded the same discretion in determining the sequence of the presentation of her evidence and witnesses during the defense's case-in-chief.

   At this point, Attorney Sison inquired whether the prosecution was prepared to present its first witness that day, stating that the defense was ready to proceed. Prosecutor Diokno responded by observing that the Presiding Officer had earlier directed Attorney Sison to refrain from addressing questions directly to the prosecution, emphasizing that, under the *Rules*, only the Court may propound questions to counsel. In reply, Attorney Sison clarified that her inquiry had been addressed to the Presiding Officer.

2. On witness disclosure rule. The Presiding Officer noted that both the prosecution and the respondent agreed to the five-day witness disclosure requirement. The rule would apply

to witnesses not listed in the pre-trial order or the parties' pre-trial brief. He nevertheless reminded the parties that, at the close of each trial week, every Wednesday while the Senate was in recess, the party presenting its case-in-chief should identify the witnesses it intended to present during the succeeding week and move for the issuance of the necessary subpoenas no later than Tuesday. This, he explained, would allow the Court sufficient time to act on the motions and ensure the timely issuance and service of subpoenas.

3. On the prosecution's proposal that more than one counsel be allowed to examine witnesses, the Presiding Officer referred to Rule XV of the *Rules of Procedure on Impeachment Trials,* which provides that a witness shall be examined by one person on behalf of the party presenting the witness and cross-examined by one person on the opposing side. Accordingly, he ruled that only one counsel shall conduct the direct examination or cross-examination of a witness. He added, however, that in exceptional circumstances and when required by the orderly administration of justice, the Court may permit more than one counsel to examine or propound questions to a witness. By way of illustration, he stated that if circumstances required a public prosecutor who disagrees with a private prosecutor may take over the examination of a witness, and the Court could allow such substitution as an exception to the general rule. He emphasized that similar exigencies would likewise be considered whenever necessary to ensure the orderly conduct of the proceedings.

4. With respect to the sealed Bureau of Internal Revenue (BIR) box transmitted to the Senate as part of the documentary materials accompanying the Articles of Impeachment, the Presiding Officer stated that the Court had not yet acquired *custodia legis* over the box, as it had neither been ordered produced by the Court nor formally offered and marked in evidence. Accordingly, he directed that the sealed box be returned to the Bureau of Internal Revenue, without prejudice to any subsequent motion by either party for the issuance of the appropriate subpoena, which the Court would resolve at the proper time.

5. On prosecution's motion for the issuance of subpoenas *ad testificandum* to two officials of the National Bureau of Investigation (NBI), namely, Atty. Jeremy C. Lotoc, Regional Director, and John Mark Calilung, Senior Agent.

After the Clerk of Court read the motion into the record, the Presiding Officer observed that the Court had not received any written objection from the respondent. He then asked the prosecution whether it was seeking only subpoenas *ad testificandum* or also subpoenas *duces tecum*. Prosecutor Diokno replied that the motion sought only subpoenas *ad testificandum*.

Attorney Sison thereupon clarified that the respondent had not been furnished a copy of the prosecution's motion for the issuance of subpoenas and could not reasonably be expected to object to a motion that had not been served upon the defense. She added that the respondent had received only the prosecution's manifestation identifying the witnesses intended to testify on July 6, 7, and 8, 2026.

The Presiding Officer observed that the respondent had not previously raised any objection to the inclusion of the two NBI officials among the prosecution's proposed witnesses, as reflected in the Pre-Trial Brief. He nevertheless stated that the Court was prepared to hear any objection or reservation before acting on the request. Attorney Sison manifested that the respondent would raise its objections on the record during the presentation of the witnesses' testimonial evidence.

The Presiding Officer ordered the issuance of the appropriate subpoenas to the two NBI officials named in the prosecution's motion and directed the Clerk of Court to upload all pleadings and filings of both parties to the official Senate

website for the information of the Senator-Judges, the parties, and their respective counsel. He likewise reiterated that the parties should identify in open court, on the last trial day of each week, the witnesses they intended to present during the succeeding week's proceedings.

RULINGS OF THE PRESIDING OFFICER

At the direction of Presiding Officer Escudero, the Clerk of Court proceeded to read into the record the Prosecution's request for the issuance of subpoena *duces tecum* for bank records and Anti-Money Laundering Council (AMLC) records dated June 18, 2026, to wit:

Request for issuance of subpoena duces tecum for bank records

"The prosecution respectfully requests the issuance of a subpoena *duces tecum* to the branch manager of the following banks: BPI-Julia Vargas branch, BPI-Greenhills EDSA branch, Philippine Savings Bank-Wilson branch, BDO Unibank Inc.-Davao CM Recto branch, Metrobank-Davao Ecoland branch, BDO Unibank-Davao Rizal branch, Security Bank-Bicutan branch, LandBank-San Pedro branch, Philippine Savings Bank-Davao MADR branch, requiring him or her, or his or her authorized representative, to submit to the Clerk of the Impeachment Court, on or before 24 June 2026 at 9:00 a.m., the certified true copies of all records, documents, books, papers, electronic data, communications, and information in the possession, custody, or control of the bank relating to any account—deposit, investment, trust, loan, safety deposit, or other financial transactions—maintained, opened, closed, controlled, beneficially owned, or jointly held by Sara Z. Duterte, and/or Manases R. Carpio, whether individually, jointly with each other, jointly with any other person, or through any authorized representative, nominee, attorney-in-fact, or signatory, for the period January 1, 2007 to December 31, 2025, including, but not limited to:

(1) Records identifying account numbers, account types, know your customer documents, such as, but not limited to, customer information forms and signature cards;

(2) Monthly bank statements, average daily balances per calendar year, year-end balances from January 1, 2007 to December 31, 2025;

(3) All account and transaction records, ledgers and journals and similar instruments from January 1, 2007 to December 31, 2025; and

(4) All other relevant bank documents."

Request for issuance of subpoena duces tecum for AMLC records

"Request for subpoena duces tecum to the Anti-Money Laundering Council, to Honorable Eli M. Remolona Jr., Chairman AMLC, through Atty. Ronel U. Buenaventura, Executive Director AMLC, requiring him or her, or his or her, authorized representative to submit to the Clerk of the Impeachment Court, on or before 24 June 2026 at 9:00 a.m., original or certified true copies of the following:

(1) All reports of covered transactions and suspicious transactions filed by banks and all other financial institutions and covered persons required to submit covered transaction reports and suspicious transaction reports to the AMLC involving Sara Duterte-Carpio and/or Manases R. Carpio, covering the period of 2006 to 2025;

(2) Any and all investigation reports or related reports or documents prepared by the AMLC involving the reported covered transactions or suspicious transactions; and

(3) Electronic copies, including Microsoft Excel files, database extracts, or machine-readable formats of AMLC CTRs and STRs for the period 2007 to 2025 involving Sara Duterte-Carpio and/or Manases R. Carpio."

MANIFESTATION OF PROSECUTOR DIOKNO

Prosecutor Diokno manifested that the subpoena request read into the record pertained to the Prosecution's motion filed in early June, which sought the production of specified documents on

June 24. Since no subpoena was issued and the date already passed, he stated that the Prosecution refiled its request in the afternoon of the current trial date, reiterating the earlier request and including additional documents. He further proposed that the Defense be furnished with a copy of the refiled motion and be given a period within which to file its comment or objection, with a corresponding period for the Prosecution to reply, before the Chair resolves the request.

REQUEST OF ATTORNEY SISON

Attorney Sison requested that the Defense be furnished copies of both the subpoena request filed in June 2026, and the refiled request. She manifested, however, that the subpoena appeared to cover documents from 2006 to 2025, which she noted was inconsistent with the ruling in *Duterte vs. HOR* that states that the impeachment must be limited to the acts or omissions within the impeachable years and terms of office of the official. Nonetheless, she requested 10 days to file the Defense's comment pertaining to Article II, noting that the Prosecution intended to proceed first with Article IV.

RULING OF THE PRESIDING OFFICER

Presiding Officer Escudero directed that all motions for the issuance of subpoenas *ad testificandum* and subpoenas *duces tecum* filed by either party be furnished to the opposing party prior to filing before the Impeachment Court, to provide full disclosure and fairness. He further granted both parties five days within which to submit their respective comments, memoranda, or positions papers on the subpoena requests and stated that the parties would be given an opportunity to present oral arguments before the senator-judges prior to the Court's resolution of the matter.

Upon clarification by Attorney Sison, Presiding Officer Escudero confirmed that the five-day period would be reckoned from that day, with filing permitted on the following Monday since the deadline would otherwise fall on a Saturday. The Presiding Officer also clarified that the submission of a written memorandum was optional and that oral argument would likewise be scheduled on a later date with due notice to the parties.

MANIFESTATION OF PROSECUTOR DIOKNO

In response to the Defense's invocation of the *Duterte vs HOR* ruling, Prosecutor Diokno argued that neither the Supreme Court's decision nor its resolution declared pre-term evidence to be inadmissible. He maintained that the ruling merely requires that the basis of an impeachment charge consist of impeachable acts or omissions committed during the impeachable officer's current term.

Prosecutor Diokno further manifested that all the Articles of Impeachment pertain to acts allegedly committed during the respondent's term as Vice President, including the charge of unexplained wealth. He argued that wealth allegedly amassed prior to assuming office remains relevant insofar as its benefits continue to accrue during the respondent's incumbency. He further contended that integrity is a continuing qualification for public office and cannot be compartmentalized based on the period when the alleged acts occurred.

Presiding Officer Escudero noted the manifestation and ordered it entered into the records.

REJOINDER OF ATTORNEY SISON

Attorney Sison maintained that the ruling in *Duterte vs HOR* prevents what the defense characterized as a renewed intrusion into private records absent specific allegations in the Articles

of Impeachment establishing the relevance of the requested documents. She stated that the defense would formally submit its position and objections to the subpoena request, describing it as another form of "fishing expedition."

In addition, she requested that the five-day period for filing comments on the subpoena request commence upon the defense's receipt of the relevant documents.

Presiding Officer Escudero then directed that copies of the documents be furnished to the counsel for the respondent on the same day and ordered that the manifestations of both parties be noted and entered into the Records.

REQUEST OF SENATOR CAYETANO (A)

Senator-Judge Cayetano (A), citing the earlier statement of the Court that it would adopt the literal interpretation of Article XI, Section 3 (6) of the Constitution that no person shall be convicted without the concurrence of two-thirds of all the members of the Senate, he proposed that, at the appropriate time, the Impeachment Court consider coordinating with the Sandiganbayan to facilitate the attendance of Senator-Judges Marcoleta and Estrada during the trial. He noted that, should the proceedings reach the presentation of evidence, their presence would enable them to observe the witnesses and fully participate as Senator-Judges. He argued that the Impeachment Court is *sui generis* and cited the Senate's practice of coordinating with courts for the temporary attendance of persons under judicial custody. Senator-Judge Cayetano (A) further suggested that be taken up in a caucus, an in-camera discussion, or the submission of legal opinions, and that the parties may also be invited to comment. He expressed the view that the absence of the two Senator-Judges could affect the voting threshold required for conviction and emphasized the importance of ensuring a fair impeachment trial.

RULING OF THE PRESIDING OFFICER

The Presiding Officer acknowledged the comments and request of Senator-Judge Cayetano (A), stating that he would consult the Senator-Judges on the matter, coordinate with latter's office regarding the request involving Senator-Judges Estrada and Marcoleta, and determine whether to seek the comments and positions of the parties.

MANIFESTATION OF SENATOR TULFO (R)

Agreeing with the proposal of Senator-Judge Cayetano (A), Senator-Judge Tulfo (R) stated that Senator-Judges Estrada and Marcoleta should at least be allowed to monitor the impeachment proceedings through a television feed.

CLARIFICATION BY SENATOR MARCOS

Senator-Judge Marcos requested clarification on the status of the documentary evidence following the pre-trial conference. She recalled the parties' agreement that the counsel would initial the marked exhibits to ensure that the same documents would be presented during trial and asked whether that procedure was followed.

Presiding Officer Escudero confirmed that the agreed procedure was followed, except with respect to certain documents where original copies were to be presented and were, according to the parties, in the process of being corrected.

Senator-Judge Marcos further inquired whether the Senator-Judges had already received the complete and properly organized documentary records. She cited difficulty in locating the Affidavit

of Investigation of the two NBI witnesses scheduled to testify, noting discrepancies in the annex references and expressing concern as to whether the records furnished by the Clerk of Court accurately reflected the exhibits as marked during the pre-trial proceedings and were already in their final form for the Court's consideration.

The Presiding Officer explained that the documentary evidence had not yet been admitted into the Records of the Impeachment Court because they were neither formally offered nor identified and authenticated by the prosecution's witnesses. He stated that copies of the documents would only be made available to the senator-judges after they had been properly identified and formally offered in evidence. Senator-Judge Marcos expressed her desire to prepare for the testimony of the prosecution's first three witnesses, noting that their affidavits and supporting documents were not accessible in advance.

MANIFESTATION OF SENATOR-JUDGE PADILLA

Concerning the request made by Senator-Judge Cayetano (A) regarding Senators Estrada and Marcoleta, Senator Padilla clarified that it was not intended for them to participate or vote, but to merely allow them to be physically present in the impeachment court as observers instead of monitoring the proceedings remotely. The Presiding Officer stated that the matter would be discussed and resolved by the impeachment court at the proper time.

RESOLUTION BY THE COURT

Pursuant to Article II, Section 28 of the Constitution on the policy of public disclosure in matters involving public interest, the Presiding Officer directed the Clerk of Court to create the necessary pages on the Senate website to make accessible the electronic records of the impeachment proceedings, whereby all pleadings, memoranda, and motions filed by the parties shall be uploaded, as well as the Journal of the proceedings, once approved by the Impeachment court.

INQUIRY OF SENATOR-JUDGE AQUINO

Lauding the Impeachment Court's initiative to make the records of the proceedings publicly accessible, Senator-Judge Aquino inquired when the uploading of documentary evidence would be completed. The Presiding Officer stated that the records are voluminous and that most of the marked exhibits are also part of the Articles of Impeachment and their Annexes, which had already been uploaded. He assured that the Clerk of Court would endeavor to upload all of the presented evidence at the soonest possible time except for the *Journal*, which could only be uploaded after the impeachment court's approval.

INQUIRY OF SENATOR-JUDGE CAYETANO (A)

Expressing support to the impeachment court's policy on transparency of public records and due process which requires documentary evidence to be presented, formally offered and admitted before being made public, Senator-Judge Cayetano (A) asked if the evidence presented such as wiretapped recordings would also be uploaded.

The Presiding Officer replied that only pleadings, motions, memoranda, and exhibits attached as annexes to either the Articles of Impeachment or the Answer to the impeachment complaint would be uploaded after it had been formally offered in evidence and admitted by the impeachment court. In the case of documents covered by subpoena *duces tecum*, he stated that the motion for the issuance of a subpoena would be published but not the subject matter of the subpoena.

INQUIRY OF SENATOR-JUDGE TULFO (E)

Senator-Judge Tulfo (E) inquired how the impeachment court would handle documents and pieces of evidence submitted by the Anti-Money Laundering Council (ALMC), and whether matters involving its records could be tackled during an Executive session in light of bank secrecy laws.

The Presiding Officer clarified that the scheduled date for deliberation only concerns the issuance of a subpoena *duces tecum* and *ad testificandum* for AMLC records, not the actual records. Should the subpoena be granted, he said that the documents would still have to be presented by the parties. He clarified that the impeachment court could not discuss AMLC records in Executive session as matters taken up therein could not be revealed to the public nor used in the proceedings. He further said that limiting the discussion of the evidence in executive session would effectively hogtie that piece of evidence. He said that the issues on whether the documents could be made public or could be legally obtained would be decided by the impeachment court after hearing the parties' oral arguments.

INQUIRY OF SENATOR-JUDGE VILLANUEVA

Senator-Judge Villanueva asked where the BIR box was currently being kept and when it would be returned to the Bureau of Internal Revenue. The Presiding Officer stated that the BIR box was in the office of the Senate Secretary, and that it would be returned in the same sealed condition to the BIR the following day.

MANIFESTATION OF SENATOR-JUDGE HONTIVEROS

Expressing her support for the Presiding Officer's ruling on the conduct of Executive sessions, Senator-Judge Hontiveros stated that Executive sessions are intended for Congress in the exercise of its legislative functions and are not contemplated under impeachment proceedings. Accordingly, she concurred with the Presiding Officer's call for transparency governing the impeachment proceedings.

INSTRUCTION OF THE PRESIDING OFFICER

The Presiding Officer directed the Clerk of Court to issue the subpoenas to the two NBI agents, and instructed the prosecution panel to ensure the attendance of said witnesses at the next day's trial. He further ordered the Clerk of Court to furnish the Counsel for the Respondent with a copy of all their requests for the issuance of subpoenas that had been filed with the Office of the Clerk of Court, immediately after adjournment.

ADJOURNMENT OF THE IMPEACHMENT TRIAL

With the permission of the Body, the Presiding Officer declared the Impeachment Trial adjourned until two o'clock in the afternoon of Tuesday, July 7, 2026.

It was 5:12 p.m.

I hereby certify to the correctness of the foregoing.

Atty. RENATO N. BANTUG JR.
Clerk of Court

Approved on July 7, 2026